United Nations S/2001/256

Security Council

Distr.: General
21 March 2001

Original: English

Draft resolution

The Security Council,

Recalling its resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998, 1203 (1998) of 24 October 1998, 1239 (1999) of 14 May 1999 and 1244 (1999) of 10 June 1999 and the statements of its President of 19 December 2000 (S/PRST/2000/40), 7 March 2001 (S/PRST/2001/7) and 16 March 2001 (S/PRST/2001/8),

Welcoming the steps taken by the Government of the former Yugoslav Republic of Macedonia to consolidate a multiethnic society within its borders, and expressing its full support for the further development of this process,

Also welcoming the plan put forward by the Government of the Federal Republic of Yugoslavia to resolve peacefully the crisis in certain municipalities in southern Serbia, and *expressing* encouragement for the implementation of political and economic reforms designed to reintegrate the ethnic Albanian population as full members of civil society,

Welcoming international efforts, including those of the United Nations Interim Administration Mission in Kosovo, the International security presence in Kosovo (KFOR), the European Union, the North Atlantic Treaty Organization, and the Organization for Security and Cooperation in Europe (OSCE) in cooperation with the Governments of the former Yugoslav Republic of Macedonia, the Federal Republic of Yugoslavia and other States, to prevent the escalation of ethnic tensions in the area,

Further welcoming the contribution of the European Union to a peaceful solution to the problems in certain municipalities in southern Serbia, its decision substantially to increase the presence of the European Union Monitoring Mission there on the basis of its existing mandate, and its wider contribution to the region,

Welcoming the cooperation between the North Atlantic Treaty Organization and the authorities of the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia in addressing the security problems in parts of the former Yugoslav Republic of Macedonia and certain municipalities in southern Serbia,

1. *Strongly condemns* extremist violence, including terrorist activities, in certain parts of the former Yugoslav Republic of Macedonia and certain municipalities in southern Serbia, Federal Republic of Yugoslavia, and *notes* that

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such violence has support from ethnic Albanian extremists outside these areas and constitutes a threat to the security and stability of the wider region;

2. *Reaffirms* its commitment to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, the former Yugoslav Republic of Macedonia and the other States of the region, as set out in the Helsinki Final Act;

3. *Reiterates* its strong support for the full implementation of resolution 1244 (1999);

4. *Demands* that all those who are currently engaged in armed action against the authorities of those States immediately cease all such actions, lay down their weapons and return to their homes;

5. *Supports* the Government of the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia in their efforts to end the violence in a manner consistent with the rule of law;

6. *Underlines* the need for all differences to be resolved by dialogue among all legitimate parties;

7 *Further underlines* the requirement for all parties to act with restraint and full respect for international humanitarian law and human rights;

8. *Welcomes* the efforts of the Government of Albania to promote peace in the region and isolate extremists working against peace, and *encourages* it and all States to take all possible concrete steps to prevent support for extremists, taking also into account resolution 1160 (1998);

9. *Calls* on Kosovo Albanian political leaders, and leaders of the ethnic Albanian communities in the former Yugoslav Republic of Macedonia, southern Serbia and elsewhere, publicly to condemn violence and ethnic intolerance and to use their influence to secure peace, and *calls* on all those who have contact with the extremist armed groups to make clear that they have no support from any quarter in the international community;

10. *Welcomes* the efforts of KFOR to implement resolution 1244 (1999) in cooperation with the authorities of the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia, and *calls* on KFOR to continue further to strengthen its efforts to prevent unauthorized movement and illegal arms shipments across borders and boundaries in the region, to confiscate weapons within Kosovo, Federal Republic of Yugoslavia, and to continue to keep the Council informed in accordance with resolution 1160 (1998);

11. *Calls* on States and appropriate international organizations to consider how they can best give practical help to efforts in the region further to strengthen democratic, multiethnic societies in the interests of all and to assist the return of displaced persons in the areas in question;

12. *Calls* on all States in the region to respect each other's territorial integrity and to cooperate on measures that foster stability and promote regional political and economic cooperation in accordance with the Charter of the United Nations, the basic principles of the OSCE and the Stability Pact for South East Europe;

13. *Decides* to monitor developments on the ground carefully and remain actively seized of the matter.

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Security Council

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21 March 2001
English
Original: Arabic

Letter dated 21 March 2001 from the Chargé d'affaires a.i. of the Permanent Observer Mission of the League of Arab States to the United Nations addressed to the President of the Security Council

In accordance with article 54 of the Charter of the United Nations, I have the honour to transmit herewith resolution No. 6068, dated 12 March 2001, entitled "The coercive measures imposed on the Great Socialist People's Libyan Arab Jamahiriya by the United States and the United Kingdom as a result of the dispute over the so-called Lockerbie question", adopted by the one-hundred-fifteenth regular session of the League of Arab States at the level of Ministers of Foreign Affairs, held on 12 March 2001, at the League of Arab States headquarters in Cairo, Egypt.

I should be grateful if you would draw the attention of the members of the Security Council to this letter and its annexes, and have them circulated as a document of the Security Council.

(*Signed*) Ali A. **Abbas**
Chargé d'affaires a.i.

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Annex to the letter dated 21 March 2001 from the Chargé d'affaires a.i. of the Permanent Observer Mission of the League of Arab States to the United Nations addressed to the President of the Security Council

[Original: Arabic]

The coercive measures imposed on the Great Socialist People's Libyan Arab Jamahiriya by the United States and the United Kingdom as a result of the dispute over the so-called Lockerbie question

The Council of the League of Arab States,

Having examined:

The memorandum from the General Secretariat;

The recommendations of the Political Committee;

Reaffirming its previous resolutions on the question;

Referring to the declarations adopted at the Conference of the Movement of Non-Aligned Countries;

Referring also to the resolution adopted during the fifth extraordinary session of the Assembly of Heads of State and Government of the Organization of African Unity, held in Sirte on 1 and 2 February 2000,

Commending the flexible position of the Libyan Arab Jamahiriya and its positive initiatives aimed at ensuring a peaceful settlement of the conflict;

Commending the fact that the Libyan Arab Jamahiriya encouraged the two suspects, its citizens to appear before the Scottish court in the Netherlands, and commending the positive and collaborative attitude of the two Libyan citizens;

Thanking the Committee of Seven of the League of Arab States and the Committee of Five of the Organization of African Unity for their contributions towards a settlement of the conflict;

Noting that a legal expert representing the League of Arab States was sent to accompany the team of international observers following the trial of the two Libyan suspects appearing before the Scottish court;

Recalling once again the enormity of the damage caused to the Libyan Arab Jamahiriya by the sanctions imposed on it for over seven years, and the adverse effects on the economies of neighbouring States;

Reiterating that the Libyan Arab Jamahiriya has fulfilled all its obligations under Security Council resolutions 731 (1992), 748 (1992), 883 (1992) and 1192 (1998);

Noting also that diplomatic relations have been restored between the Libyan Arab Jamahiriya and the United Kingdom of Great Britain and Northern Ireland — a positive development which is tangible proof that dialogue and mutual understanding represent the best way to solve problems;

Referring to the resolution of the Parliament of the European Union adopted in Brussels on 12 September 1999, by which it lifted the sanctions against the Libyan Arab Jamahiriya, except for armaments, and the statement by the Secretary of State for Foreign and Commonwealth Affairs on 4 November 1999 that the Government of the United Kingdom was satisfied with the measures taken by the Libyan judicial authorities during the visit by a Scottish police team conducting inquiries into the Lockerbie case;

Expressing its deep dismay that the Security Council has so far failed to adopt a resolution lifting fully and definitively the sanctions imposed on the Libyan Arab Jamahiriya, even though it has received a report from the Secretary-General stating that the Libyan Arab Jamahiriya has fully complied with all its obligations under the aforementioned Security Council resolutions;

Bearing in mind that the Scottish court has pronounced a verdict in the case, and bearing in mind the opinion of the international legal experts, including the Scottish jurist Robert Black, who took part in the establishment of the court;

Guided by the purposes and principles of the Charter of the United Nations;

Decides:

1. To voice its consternation at the conviction of one of the Libyan citizens, and to express its firm belief that the acquittal of one of the two implies that the other is innocent, inasmuch as the suspicions that fell on the two were based on the same charge;

2. To reaffirm its solidarity with the Libyan Arab Jamahiriya in its demand for a fair and impartial hearing for the Libyan citizen Abdel Basset Al-Megrahi during and after the appeal, and for guarantees of all his legal and human rights during and after the appeal;

3. To alert world public opinion to the political motives as a result of which the Libyan citizen Abdel Basset Al-Megrahi was subjected to a trial that legal experts found to be flawed in several respects;

4. To demand the immediate release of the Libyan citizen Abdel Basset Al-Megrahi, who has been convicted for political reasons totally unrelated to the law, and who, under all applicable laws and customs, may be regarded as a hostage;

5. To reject emphatically the way in which persistent efforts are being made to block any lifting of sanctions on the Libyan Arab Jamahiriya and to ignore the provisions of paragraph 16 of Security Council resolution 883 (1992) and the related report of the Secretary-General of the United Nations to the Security Council, for such efforts violate international law, the Charter of the United Nations, the resolutions of the Security Council, and the agreement and guarantees endorsed by the parties;

6. To demand that the Security Council lift the sanctions on the Libyan Arab Jamahiriya definitively and immediately, bearing in mind that it has fulfilled all the obligations imposed by the relevant Security Council resolutions, including resolution 1192 (1998), and to request the Secretary-General of the League of Arab States to continue his efforts with the Secretary-General of the United Nations and the President of the Security Council until action is taken to lift the sanctions, and

also to pursue his contacts with the various regional groups so as to maintain the pressure for such action;

7. To urge the Arab States en masse to declare the sanctions null and void, and to consider themselves freed from the obligation to implement them, in accordance with operative paragraph 3 of resolution 5848/SO (111) of the Council of the League of Arab States and operative paragraph 4 of its resolution 5894/SO (112), on the grounds that there is no justification for them to continue applying those sanctions;

8. To appeal to the United States of America to initiate a direct dialogue on equal terms with the Libyan Arab Jamahiriya in order to examine and remove any impediments to the normalization of bilateral relations between the two countries, and in order to allow the Lockerbie case to follow its juridical course, as required by the nature of the conflict and as agreed by the parties without any type of pressure;

9. To support the legitimate right of the Libyan Arab Jamahiriya to obtain fair compensation for the material damage and human suffering caused by the sanctions imposed on it;

10. To request the Political Committee of the League of Arab States to continue its efforts until a solution is found to the conflict;

11. To continue including the item on a permanent basis in the agenda of the Council of the League of Arab States until the case is closed once and for all;

12. To instruct the Secretary-General to monitor the implementation of this resolution and to report thereon to the Council at its forthcoming one-hundred-sixteenth session.

(R: No. 6068-SO (115), 12 March 2001).

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Security Council

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22 March 2001

Original: English

Report by the Secretary-General concerning the credentials of the Alternate Representative of Ukraine on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 12 March 2001 from the Permanent Mission of Ukraine to the United Nations, stating that Ms. Oksana Boyko has been appointed alternate representative of Ukraine on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

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Security Council

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22 March 2001
English
Original: Arabic

Letter dated 20 March 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to refer to our many previous letters addressed to you concerning the practice of the representatives of the United States and the United Kingdom in the Security Council Committee established by resolution 661 (1990) of placing holds on humanitarian contracts concluded by the competent Iraqi authorities under the memorandum of understanding of 20 May 1996 and the oil-for-food programme and of doing so on flimsy pretexts and in order to inflict further harm on the Iraqi people and deprive the memorandum of understanding of its basic rationale, which is to meet some of the humanitarian needs of the people of Iraq.

The policy of placing contracts on hold has reached extremes that can no longer be tolerated. As of 13 March 2001, there were 1,722 contracts on hold with a total value of 3.370 billion dollars, representing one third of the value of all the contracts under which deliveries have been made to Iraq since the inception of the programme. When we also take account of the fact that many of the items to be supplied under the contracts on hold are complementary to items that have already arrived under other contracts but that cannot be put to use in their absence, it is possible to appreciate the dimensions of the crime that the United States and the United Kingdom persist in committing.

The most recent examples of the inhuman and immoral positions maintained by the United States and the United Kingdom in the Committee include the placing on hold of contracts for serums and vaccines intended for children on the pretext that such items can be used in the manufacture of weapons of mass destruction. On 2 January 2001, they also placed a hold on contract 801078, which the Ministry of Health had concluded with the French company Nutris for the supply of cytogenic media, on the grounds that it included dual-use items. I should here like to state that the items to be supplied under this contract are for exclusively medical uses and are employed in chromosome tests for children with congenital defects, mental retardation and other hereditary conditions caused by chromosomal disorders. Their availability helps in providing genetic counselling to families in which there are such persons, and they are used in the various fields of molecular genetics in many research centres, in vitro fertilization centres and fertility clinics. Such media have also been used in Iraq since the early 1980s in the diagnosis of certain types of leukaemia.

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The misuse of United Nations mechanisms by the United States and the United Kingdom in order to settle accounts with the people of Iraq has reached such extremes that the United Nations can no longer let it pass in silence, and we appeal to you to end this practice.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

United Nations S/2001/260

Security Council

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22 March 2001

Original: English

Letter dated 20 March 2001 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

I have seen a copy of the note verbale of 16 March 2001 from the Permanent Mission of Zimbabwe to the President of the Security Council (S/2001/238). It suggests that authorities in the United Kingdom have obstructed the shipping of equipment to Zimbabwean police contingents deployed in the United Nations Interim Administration Mission in Kosovo (UNMIK).

I raised this matter immediately with my authorities in London. They in turn spoke to our High Commission in Harare. This was the first that either had heard of the matter. Foreign and Commonwealth Office officials in London then spoke to British Airways — which is of course a private company, totally independent of Government. British Airways acknowledged that their staff in Harare had received oral enquiries from the Zimbabwean authorities about the possibility of shipping arms and munitions to Skopje. British Airways replied that they did not think that they would be able to carry such equipment because of the United Kingdom embargo on arms exports to Zimbabwe and because of concerns over transporting the equipment across London (from one airport to another). At the same time they provided the Zimbabwe authorities with advice on alternative carriers (of which there are several).

In fact, it seems very unlikely that the United Kingdom arms embargo, which applies to exports to Zimbabwe, would have applied in this case. The difficulty over transporting the equipment across London was raised orally by the Zimbabwean Ministry of Foreign Affairs with our High Commission in Harare in December 2000. After consulting British Airways, our Acting High Commissioner informed the Ministry that this appeared to be a minor, practical problem. He suggested that, if the organization wishing to transport the equipment (the Zimbabwe police) were to get in touch, the High Commission would be ready to help find a solution. However, there was no subsequent contact by the Ministry or the police.

My authorities remain very open to discussing this matter directly with the Zimbabwean authorities. It goes without saying that we would in no way wish to obstruct Zimbabwean participation in the United Nations Mission in Kosovo.

I should be grateful if you would have this letter circulated as a Security Council document.

(*Signed*) Jeremy **Greenstock**
Permanent Representative

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Security Council

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Letter dated 22 March 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

I have the honour to refer to resolution 1171 (1998), adopted by the Security Council on 5 June 1998, concerning Sierra Leone. In paragraph 4 of the resolution, the Committee is required to report to the Council on notifications received from States on the export of arms and related materiel to Sierra Leone, as well as on notifications of imports of arms and related materiel made by the Government of Sierra Leone.

Accordingly, I wish to inform you that the Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone received a notification on 22 March 2001 from the Government of the United Kingdom of Great Britain and Northern Ireland of the export of the following military equipment to the Government of Sierra Leone for use by the Army of Sierra Leone:

2,124 x 7.62 mm self-loading rifles

This equipment arrived in three batches, at Lungi International Airport on 17 and 24 February 2001 and at Queen Elizabeth II Airport, Freetown, on 28 February 2001.

(*Signed*) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee established pursuant to
resolution 1132 (1997) concerning Sierra Leone

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Security Council

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Letter dated 22 March 2001 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 955 (1994) of 8 November 1994, by which the Council established the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994.

I also have the honour to refer to Security Council resolutions 1165 (1998) of 30 April 1998 and 1329 (2000) of 30 November 2000, by which the Council amended the Statute of the International Tribunal, as adopted in its resolution 955 (1994).

Article 12 of the Statute of the International Criminal Tribunal for Rwanda, as so amended, provides, in relevant part, as follows:

"*Article 12*

"*Qualification and election of judges*

"1. The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers, due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law.

"2. Eleven of the judges of the International Criminal Tribunal for Rwanda shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(a) The Secretary-General shall invite nominations for judges from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(b) Within sixty days of the date of the invitation of the Secretary-General, each State may nominate up to two candidates meeting the qualifications set out in paragraph 1 above, no two of whom shall be of the same nationality and neither of whom shall be of the same nationality as any

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judge who is a member of the Appeals Chamber and who was elected or appointed a permanent judge of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (hereinafter referred to as "the International Tribunal for the Former Yugoslavia") in accordance with article 13 bis of the Statute of that Tribunal;

(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than twenty-two and not more than thirty-three candidates, taking due account of the adequate representation on the International Criminal Tribunal for Rwanda of the principal legal systems of the world;

(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect eleven judges of the International Criminal Tribunal for Rwanda. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters, shall be declared elected. Should two candidates of the same nationality obtain the required majority vote, the one who received the higher number of votes shall be considered elected.

"3. In the event of a vacancy in the Chambers among the judges elected or appointed in accordance with this article, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of paragraph 1 above, for the remainder of the term of office concerned.

"4. The judges elected in accordance with this article shall be elected for a term of four years. The terms and conditions of service shall be those of the judges of the International Tribunal for the Former Yugoslavia. They shall be eligible for re-election."

In paragraph 2 of its resolution 1329 (2000), the Security Council decided that two additional judges should be elected as soon as possible as judges of the International Criminal Tribunal for Rwanda and that the terms of office of the additional judges so elected should expire, together with those of the judges who are currently serving on the Tribunal, on 24 May 2003.

Pursuant to what is now paragraph 2 (a) of article 12 of the Statute of the International Criminal Tribunal for Rwanda, following the amendments that were introduced by the Security Council in its resolution 1329 (2000), States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters were invited, by means of a letter dated 15 January 2001, to submit nominations for two additional judges of the International Criminal Tribunal for Rwanda and were informed that, within 60 days of the date of the letter, they might nominate up to two candidates meeting the qualifications set out in article 12, paragraph 1, of the Statute of the Tribunal, as so amended.

They were also informed that, should they decide to nominate two candidates, then, in accordance with article 12, paragraph 1 (b), of the Statute of the Tribunal, as amended, those candidates should not be of the same nationality as each other.

They were further advised that, in accordance with article 11 of the Statute of the Tribunal, as amended, no two judges of the Tribunal might be nationals of the same State. They were informed that, in consequence, they might not nominate a candidate bearing the same nationality as any of the judges who are currently serving on the International Criminal Tribunal for Rwanda and that, accordingly, they might not nominate candidates bearing any of the following nationalities: Colombia, France, Guyana, Italy, Jamaica, Malaysia, Norway, Russian Federation, Saint Kitts and Nevis, Senegal, Slovenia, South Africa, Sri Lanka, Turkey and United Republic of Tanzania.

Pursuant to article 12, paragraph 1 (c), of the Statute of the International Criminal Tribunal for Rwanda, as amended by the Security Council in resolution 1329 (2000), I have the honour herewith to forward to the Council the four nominations which I have received from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters within the 60-day period specified in article 12, paragraph 2 (b), of the Statute, as so amended. The list of candidates, in alphabetical order, is contained in the annex to the present letter. The curricula vitae of the candidates will appear in a separate document to be issued shortly by the General Assembly.

In this connection, I would draw the attention of the Security Council to article 12, paragraph 1 (c), of the Statute of the International Criminal Tribunal for Rwanda, as amended by the Security Council in resolution 1329 (2000), which, as applied to the current election by paragraph 2 of that resolution, provides, in relevant part, as follows:

> "From the nominations received the Security Council shall establish a list of not less than [four] and not more than [six] candidates, taking due account of the adequate representation on the International Criminal Tribunal for Rwanda of the principal legal systems of the world."

I would take this opportunity to note that, pursuant to article 12, paragraph 4, of the Statute of the International Tribunal, as amended, the judges of the International Criminal Tribunal for Rwanda elected in accordance with that article are to serve on a full-time basis and thus may not engage in any other occupation of a professional nature during their term of office.

Once elected to the International Criminal Tribunal for Rwanda, the judges are expected to take up residence at its seat in Arusha. However, should it occur, pursuant to article 13, paragraph 3, of the Statute of the International Criminal Tribunal for Rwanda, as amended by the Security Council in resolution 1329 (2000), and article 14, paragraph 4, of the Statute of the International Tribunal for the Former Yugoslavia, as amended by the Council in the same resolution, that they are assigned by the President of the International Criminal Tribunal for Rwanda to be members of the Appeals Chambers of the International Tribunal for the Former Yugoslavia and of the International Criminal Tribunal for Rwanda, they will be expected to take up residence at the seat of the International Tribunal for the Former Yugoslavia, in The Hague.

(*Signed*) Kofi A. **Annan**

Annex

List of candidates nominated by Governments

Name	*Nationality*	*Nominated by the Government(s) of*
Mouinou Aminou	Benin	Benin
Frederick Mwela Chomba	Zambia	Zambia
Harris Michael Mtegha	Malawi	Malawi
Arlette Ramaroson	Madagascar	Madagascar

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Security Council

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23 March 2001

Original: English

Letter dated 21 March 2001 from the Prime Minister of Somalia addressed to the President of the Security Council

A rather belated congratulations for holding the Presidency of the Security Council during the month of March. You deserve this important and prestigious post and your great country deserves the recognition.

Since our delegation had the pleasure to meet with the Security Council on 11 January 2001, the Transitional National Government of Somalia has been aggressively pursuing its policy of constructive and peaceful dialogue with the groups that are outside the Arta process in order to bring about national reconciliation.

Building upon the Arta outcome is, and will continue to be, our single most important national objective. We have succeeded in engaging two out of the five factions based in Mogadishu that are not supportive of the Arta Conference. Mohamed Qanyare Afrah holds a Cabinet post in the Transitional National Government and close associates of Hussein Haji Bod have also joined the Cabinet. Given a chance, we are confident that the Transitional National Government and the remaining groups that are outside the Arta framework can work out acceptable and honourable agreements. Given a chance, the Somali people have it in them to negotiate seriously and resolve these apparently intractable differences. Given a chance, the Transitional National Government and the Somali people will not let down the Security Council, which has been steadfast in supporting the unity, territorial integrity and political independence of Somalia. If only we are given that chance.

Our neighbour, Ethiopia, is not prepared to give us that chance. On the contrary, Ethiopia is determined to destroy our chance to restore peace, stability, democratic governance and political independence to Somalia. Ethiopia is not opposed merely to the election of President Abdiqassim Salad Hassan and the composition of the Transitional National Government and Transitional Parliament; Ethiopia is vigorously opposed to the very idea of a reconstituted independent Somali State. Ethiopia's actions, not the lip-service it pays to the resolutions of the United Nations, the Organization of African Unity (OAU) and the Intergovernmental Authority on Development (IGAD), pose a clear and present danger to our unity, territorial integrity and political independence. We would like to submit to you and to the other members of the Security Council that Ethiopia's

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unalloyed aggressive actions are a threat to peace in Somalia, the subregion and the international community. Without exaggeration, we in Somalia are alarmed and are forced, therefore, to share with you our grave concern.

Some of the recent actions of Ethiopia provide the basis of our deep concern:

1. The Transitional National Government invested heavily in engaging the remaining three groups based in Mogadishu that were opposed to the Arta process, and we were very close to cutting deals with two of the three. Ethiopia knew perfectly well of the developments and embarked upon an obstructionist policy of beckoning them audaciously to Addis Ababa.

2. The three groups based in Mogadishu joined a few more individuals who have already had close relationships with the government of the Tigray People's Liberation Front (TPLF). A dozen or so characters in search of a Pirandello are currently being hosted by the Ethiopians. Their objective is to fulfil the Ethiopian strategy of obstructing the reconstitution of an independent Somali State. The pursuit of a "building bloc" approach is a smokescreen to blunt the Arta peace process and simultaneously to negate the emergence of even an Ethiopian-sponsored viable alternative.

3. If Ethiopia is genuinely interested in a credible peace and national reconciliation in Somalia, it is a secret known only to her. We believe that the Security Council, the Secretary-General, OAU and even IGAD are not briefed properly about the "secret plan". The only plan we observe is a sinister one of a dissembling stance bent on the destruction of a present or a future Somali State.

4. Ethiopia has blatantly occupied the towns of Dolow, Bulo Hawo and Lugh in Gedo since August 1996. Ethiopia has similarly occupied towns in the Bay and Bakol regions since 1999. The Ethiopian military presence in Somalia has always been known and documented in the humanitarian circles serving Somalia, including United Nations agencies, international non-governmental organizations and donor and diplomatic missions based in Kenya. The World Food Programme, the United Nations Children's Fund, the Free State Agricultural Union, Trocaire, the African Medical and Research Foundation, Intersos, Terra Nuova and Care were some of the independent witnesses of the overwhelming military presence of Ethiopia in the Gedo, Bay and Bakol regions. The Transitional National Government has used diplomatic channels to reason with Ethiopia and to request the removal of Ethiopian forces from Somali territory. President Abdiqassim Salad Hassan has privately pleaded with the Ethiopian political leadership to remove the occupying forces from our country. Despite the protestations of the TPLF government that it was markedly different from the imperial and Mengistu regimes, it has justified ominously, on the one hand, the illegal occupation of Somali territory on the imperatives of its own national security needs and, on the other hand, blamed Somalia, the victim, for publicizing the presence of troops deep inside Somali territory.

5. The Addis Ababa leadership has accused the Transitional National Government of using Ethiopia as a scapegoat and has termed our discreet and peaceful efforts to free our people of oppression as a campaign to discredit Ethiopia and to obtain financial assistance from external sources.

6. It dawned on Ethiopia that its policy of blaming the victim was no longer tenable and that the standard imperial policies were no longer sufficient to contain the anger and liberation activities of the citizens of the occupied areas, and the pressure of the international community was proving to be unbearable. Under the cover of darkness Ethiopia pulled out its troops on Sunday night, 4 February 2001. Ethiopia, however, still occupies the border towns of El Barde and Qura Joome in Bakol and Dolow in Gedo. Ethiopian forces are still being used frequently in patrolling operations deep in our territory. These operations are against the Charter of the United Nations and the resolutions of the Security Council and are a threat to international peace and security. More pertinently, these operations are instruments to terrorize our people and to destabilize the Transitional National Government.

7. Ethiopia is pursuing its dangerous policy of recruiting, training, arming and supporting "friendly militias" in Gedo, Bay Bakol, Hiran, Galgadud and other regions close to the border. The creation and support of these militias are examples of the blatant Ethiopian interference in our internal affairs. They are a clear and present danger to our unity, territorial integrity and political independence. Ethiopia claims to prefer a "building bloc" approach to peace and national reconciliation in Somalia. Ethiopia claims to be mandated by IGAD, in the absence of a national government, to play a leading role in bringing about national reconciliation, peace and stability to Somalia. The Somali people have spoken and have decided that the Arta peace process is the only way out of the civil strife, lawlessness and contraction of the human spirit. Even if viable at some stage, the "building bloc" approach is no longer credible. There is a broadly defined peace process and the needed transitional National Charter and transitional national institutions are in place. The Somali people are yearning to get on with the difficult task of reconstituting a new Somali State that is committed to a culture of peace, democratic governance, reconstruction and recovery. We believe that the Ethiopian-created and supported "friendly militias" are nothing but wrecking squads that are programmed to destabilize Somalia, to brutalize our people, to obstruct the unfolding peace process and to destroy the hopes and aspirations of the Somali people.

8. Ethiopia is campaigning vigorously to discredit and destroy the Arta peace process. Instead of the broadly based and supported process, Ethiopia is determined to anoint a few individuals as the leaders of Somalia. The TPLF government in Addis Ababa has vociferously claimed not to be imperial in its orientation. The corralling of few individuals from the political wilderness is truly imperial but lacks at least the expected finesse. The selection of these individuals as the leaders of the Somali people is bound to be futile. They were unable to hold their small meeting inside the country. The people of Baidoba

rejected that outright and the people of the north-east have stated most emphatically that Garowe was out of bounds for the Ethiopian-inspired scheme. The spokesperson for the Ethiopian Foreign Ministry then stated that Addis Ababa was a safe and neutral venue for the blighted meeting. Indeed.

These are some of the ongoing activities that the Ethiopian Government is carrying out openly and arrogantly against Somalia and its people. These activities are blatant interferences in our internal affairs and pose a serious threat to the unity, territorial integrity and political independence of Somalia. My Government would like the Security Council to take note of these dangerous policies that are being executed by Ethiopia. These executed policies are of grave concern to Somalia and its people.

Somalia is bracing itself now for an onslaught of destabilization programmes that are being hatched by the Ethiopian Government and its anointed leaders. Ethiopia has been supplying weapons to its "friendly militias". Of particular concern is one of the Mogadishu-based warlords. He has been provided deadly landmines in the recent past and we have no assurance that would stop in the future. On the contrary, the planting of different types of landmines, the assassination of prominent citizens and other sabotage activities are expected to be carried out in Mogadishu and its environs. A reign of terror visited upon the inhabitants of Mogadishu, who are yearning for peace and stability, is not something to cherish. The prospect of an Ethiopian onslaught of destabilization is present, real and dangerous.

Yet another testimony to the Ethiopian determination to preclude a united and independent Somalia is the de facto recognition of the north-west. Ethiopia is the only country that is accepting the "passports" issued by the administrative entity in the north-west of Somalia. Ethiopia is placing contingents of its forces in Da'ar Budhug and Arabsiyo. These foreign troops are supposedly going to protect the Berbera-Hargeisa-Jigjiga corridor. Ethiopian Airlines is about to start twice weekly services between Hargeisa and Addis Ababa. Further, an agreement has been reached to allow an Ethiopian bank to operate in Hargeisa. The cumulative effect of these activities, which are focused on the north-west, is to negate the re-emergence of a unified, peaceful and independent Somalia.

The Security Council has repeatedly reaffirmed its commitment to the sovereignty, territorial integrity, political independence and unity of Somalia. Somalia has assumed its rightful place in the United Nations, OAU, IGAD, the League of Arab States and the Organization of the Islamic Conference. The Transitional National Government is deeply grateful to the Security Council and the Secretary-General for their principled support of Somalia. The security situation of Mogadishu has improved significantly. All 14 police stations in Mogadishu are manned by the reconstructed police force of the Transitional National Government and there are neither green lines nor checkpoints run by the warlords. The level of political violence is almost non-existent in Mogadishu now, but as stated earlier, we are bracing up for destabilization activities engineered by our neighbour.

The Transitional National Government and the Somali people would like to alert the Security Council that it should remain seized of the matter of Ethiopian interference in our internal affairs.

We should be grateful if you would circulate this letter as a document of the Security Council.

(*Signed*) Ali Khalif **Galaydh**
Prime Minister, Somali Republic

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Security Council

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Letter dated 22 March 2001 from the Permanent Representative of Liberia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a self-explanatory letter addressed to you by Charles Ghankay Taylor, President of the Republic of Liberia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Neh **Dukuly-Tolbert**
Ambassador
Permanent Representative

01-30370 (E) 230301

Annex to the letter dated 22 March 2001 from the Permanent Representative of Liberia to the United Nations addressed to the Secretary-General

I am pleased to present my compliments and to acknowledge receipt of resolution 1343 (2001) adopted by the Security Council at its 4287th meeting on 7 March 2001. The resolution has been carefully reviewed and my Government has taken note of the demands of the Security Council, and accordingly will do all that is possible to ensure that the concerns of the Security Council are adequately addressed. In addressing these concerns, however, the Liberian Government wishes to reiterate its rejection of the charges levelled against it and the President by the report of the Panel of Experts (S/2000/1195). It remains the view of the Government of Liberia that the report does not provide unequivocal and overwhelming evidence as is being claimed.

I wish to bring to your attention and that of the Security Council my Government's dismay at the failure of the Security Council to engage the Economic Community of West African States (ECOWAS) in a partnership effort to address the concerns of the Council in the spirit of Chapter VIII of the Charter of the United Nations. As you are aware, ECOWAS has undertaken peacekeeping initiatives in Liberia, Sierra Leone and Guinea-Bissau with the support of the Council. It has further institutionalized this role through a protocol establishing its mechanism for conflict prevention, management, resolution, peacekeeping and security. Despite the ECOWAS request to the Security Council to work with the Liberian Government on the matters raised by the Council, resolution 1343 (2001) relegates ECOWAS merely to a source of information and not as a regional grouping capable of conflict management under a multilateral framework.

Liberia's engagement in the Sierra Leonean peace process has been within the framework of an ECOWAS peace plan in partnership with the United Nations. The relegation of ECOWAS to a mere source of information and the subsequent call upon the President of Liberia to help ensure that the Revolutionary United Front (RUF) meets certain objectives are incongruent in that Liberia, a founding member of ECOWAS, may find it difficult to participate in the peace process in Sierra Leone in the absence of a clearly defined and acceptable role for ECOWAS. Hence, despite the Security Council's adoption of resolution 1343 (2001), it remains imperative that a credible partnership between ECOWAS and the United Nations be established.

All will agree with me that it is essential for Liberia's compliance with the demands of the Security Council to be credibly verified. In this regard, Liberia calls upon the United Nations to put into place a credible verification mechanism that will provide information on the basis of empirical evidence rather than a priori reasoning leading to wrong conclusions. An essential element of a credible verification mechanism is the need to establish a presence in Liberia. The presence of a unit of the United Nations Mission in Sierra Leone (UNAMSIL) in Liberia would be welcomed by the Government of Liberia, especially at Roberts International Airport and other ports of entry. Furthermore, the deployment of a unit of UNAMSIL on the Liberian side of the border would also be welcomed. However, Liberia is quite aware that the current condition of UNAMSIL, especially its lack of adequate manpower and logistics, prohibits the effective discharge of its mandate in Sierra Leone. Nonetheless, the Security Council saw fit to expand the mandate of UNAMSIL to cover Liberia in providing information on Liberia's compliance with

the Security Council resolution. Liberia would consider it only fair that the UNAMSIL mandate should also provide for its presence in Liberia to facilitate credible reporting.

It is the concern of the Liberian Government that the linkage of the objectives of the United Nations in the peace process in Sierra Leone to the intentions of resolution 1343 (2001) on Liberia sets the stage for Liberia to assume responsibility for the effectiveness of the United Nations mission in Sierra Leone. Considering the currently inadequate capacity of UNAMSIL, it would seem highly probable that Liberia could be used as a scapegoat, and blamed for any failures on the part of UNAMSIL. It is therefore essential that the international community appreciate its disengagement policy and not expect that Liberia will act in any contrary manner.

The Government of Liberia is pleased to inform the Security Council, through the Secretary-General, that consistent with the demands of the Council, it has taken the following measures:

(a) All members of the RUF have been expelled from the territory of Liberia, the RUF contact office has been closed down and all RUF activities banned in Liberia;

(b) The border between Liberia and Sierra Leone has been closed and the United Nations is requested to deploy observers at Roberts International Airport and other ports of entry, and ECOWAS has been also invited to deploy monitors in Liberia;

(c) A ban has been placed on the entry into Liberia of all uncertificated rough diamonds from countries with certification regimes; a ban has also been placed on the export of all rough diamonds from Liberia for a period of 120 days, and pending the establishment of an internationally acceptable and transparent certification regime in Liberia;

(d) A court order has been obtained to allow local commercial banks to disclose information to the Government on all financial assets that may be held by the RUF or any of its members named in annex 3 of the report of the Panel of Experts. Upon the establishment of the existence of any financial assets, the Government, through the Central Bank of Liberia, will freeze all such assets and notify the United Nations. Additionally, the Ministry of Commerce, Industry and Trade has been requested to search for the existence of any businesses registered in Liberia under the name of the RUF or any of its members named in annex 3 of the report of the Panel of Experts. Any registered business found under this search will have its assets frozen and its operations closed down. The Government will expand this exercise to cover additional members of RUF to be identified by the Committee to be established pursuant to resolution 1343 (2001);

(e) All Liberian-registered aircraft were ordered grounded, and subsequently the registrations of all Liberian aircraft were revoked as of 6 March 2001. On the basis of the revocation exercise, Liberia has no aircraft in its registry. Notification of the revocation order has been circulated to the affected aircraft operators, the International Civil Aviation Organization (ICAO), and the civil aviation authorities of the member States of ICAO. The Minister of Transport of Liberia has travelled to ICAO headquarters for discussion with its secretariat on possible assistance in the updating of the Liberian aircraft registry consistent with annex VII to the Chicago Convention on International Civil Aviation of 1944.

In carrying out these measures, the Liberian Government herewith makes the following requests of the United Nations:

(a) That the United Nations establish a verification mechanism to report on Liberia's compliance with the demands of the Council;

(b) That the United Nations deploy observers at Roberts International Airport and other ports of entry;

(c) That the United Nations provide technical assistance to the Government of Liberia for the establishment of an internationally acceptable diamond certification regime;

(d) That the United Nations deploy UNAMSIL on the Liberian side of the Liberian-Sierra Leone border;

(e) That the United Nations engage ECOWAS in a partnership in conflict management in West Africa, and in particular, Sierra Leone.

While Liberia assumes its responsibility and duties as a member of the United Nations, the rights of Liberia must be recognized and protected under the Charter of the United Nations. Of fundamental concern is the ongoing threat posed to Liberia's national security by former combatants of the United Liberation Movement for Democracy in Liberia (ULIMO) now turned dissidents who are operating freely within neighbouring Guinea and waging war against Liberia from Guinea. The presence of ULIMO forces in Guinea and the Guinean Government's support for these dissident forces is an open secret in Guinea, which has been confirmed by diplomatic sources, relief workers and Guinean citizens. Liberia has a right to defend its territorial integrity against armed aggression.

ULIMO is a destabilizing force in the Mano River Union and must be recognized as a threat to the Governments of Liberia, Guinea and Sierra Leone by the Security Council. One group of ULIMO is being recruited, trained and armed in Sierra Leone as members of the Sierra Leonean Army, while another group is being facilitated by the Guinean authorities to achieve their objective of ousting the Liberian Government by force of arms.

At the time of the adoption of resolution 1343 (2001), the territorial integrity of Liberia for the fifth time was under attack from Guinea. Although in two of those attacks, some European diplomats and international aid workers were abducted and subsequently released on Guinean territory, some members of the international community malignantly indict the Government of Liberia as an aggressor nation, obscuring the security concerns of the Government and people of Liberia. It will be recalled that the Liberian Government undertook the destruction of all arms and ammunition collected during the disarmament exercise in Liberia. This action was based upon the request of the international community and the desire of the Liberian people to live in peace with their neighbours, and a determination to commit themselves to the Herculean task of consolidating peace at home, reconstructing shattered lives and the pursuit of reconciliation. Immediately thereafter, the first of those attacks occurred. The net effect of these onslaughts on the peaceful people of Liberia is the complete desolation of Lofa County, the tragic loss of lives and the wanton destruction of property. The massive displacement of Liberians along with its attendant malaise presents a major crisis to the Government of Liberia. However, the international community has failed to condemn or acknowledge this grave threat

to international peace and security, as though Liberians do not also have a right to security.

In exercising its responsibilities under the Charter, the Security Council must not seek to be unreasonable by calling on Liberia, a Member State committed to cooperating with the United Nations, to undermine its capacity to exercise its right under the Charter to defend its territorial integrity and national independence. Liberia acknowledges its duties to the international community and equally its rights as a member of the community of nations.

I wish to request that you kindly circulate this letter to the members of the Security Council as a document of that body.

(*Signed*) Dankpannah Dr. Charles Ghankay **Taylor**